

REMARKS

Claims 2-19 stand rejected under 35 U.S.C. § 103 on the basis of Mohaban and Wiegel. Applicants traverse this rejection because neither reference, alone or in combination, discloses or suggests the monitoring policy changing means of the present invention.

The Examiner acknowledges that Mohaban does not disclose the claimed monitor policy changing means, and relies on Wiegel for this feature. However, the portions of Wiegel cited by the Examiner merely describe a system that allows the user to change the time ranges of policies, to place service restrictions on the system, for example. Wiegel does not suggest a computer program which changes a monitoring policy of its own accord, as in the present invention.

Also, Wiegel does not disclose or suggest increasing or decreasing the frequency of automatic monitoring based on degradation or improvement in service levels of the network. By requiring the user to change monitoring policies, Wiegel does not address one of the problems solved by Applicants, i.e., automatic adjustments in policies, depending on service level.

Wiegel has a problem which is addressed and solved by the present invention, i.e., automatically changing the frequency of monitoring in response to degradation or improvement in network service level. Increasing or decreasing the frequency of monitoring in the manner taught by Applicants results in improvement in network performance, which would not be realized by the systems in either cited reference, alone or in combination.

The absence of a monitoring policy changing means that adjusts the frequency of monitoring would not be achieved even by the combination of references. This is strong evidence of non-obviousness.

Moreover, there is no motivation or suggestion to modify the references to obtain the present invention. There is no recognition of the problems solved by the present invention, or description of the way the present inventors solved this problem. Accordingly, withdrawal of this rejection is respectfully requested.

For the foregoing reasons, applicants believe that this case is in condition for allowance, which is respectfully requested. The examiner should call applicants' attorney if an interview would expedite prosecution.

Respectfully submitted,

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